## Serial No. 10/723416

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Patent Application

First Inventor: Amit Bagga Serial No.: 10/723416 Conf. No.: 2635

Filing Date: 11/26/2003

Art Unit: 2435

Examiner: Patel, Nirav B

Docket No.: 633-038US

Title: Method and apparatus for extracting authentication information from a

user

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Papers related to the above-identified patent application accompany this transmittal.

Pursuant to 37 CFR 1.136(a)(3), please treat this reply and any concurrent or future replies in this application that require a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time.

Respectfully, Amit Bagga et al.

By /Kiril Dimov/

Kiril Dimov Reg. No. 60490

732-578-0103 x215

DeMont & Breyer, L.L.C. Sulte 250 100 Commons Way Holmdel, NJ 07733 United States of America

PTO/SB/25 (01-09) Approved for use through 02/28/2009. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.	
TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING	Docket Number (Optional)
REJECTION OVER A PENDING "REFERENCE" APPLICATION	633-038US
In re Application of: Amit Bagga et al.	
Application No.: 10/723416	
Filed: 11/26/2003	
For: Method and apparatus for extracting authentication information from a user	
The owner! Angeline. except as provided below, the terminal part of the statutory term of any patent granted on the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 100F47.288 — filed on Settlemer 22, 2003 — as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent or the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceduce lonely for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the granted, its successors or assigns.	
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted and said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent or the patent or the patent granted or application." In the event that any such patent granted on the pending reference application: "or the event that any such patent granted on the pending reference application or the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CPR 1.32 t, has all claims canceled by a reexamination certificate, is revisued, or is in any manner terminated prior to the expiration of list full statutory term as shortened by any terminal disclaimer filed prior to its grant.	
Check either box 1 or 2 below, if appropriate.	
<ol> <li>For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.</li> </ol>	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fire or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.	
2. The undersigned is an attorney or agent of record. Reg. No. 60,490	
/Kirll Dimov/	12/16/2009
Signature	Date
Kiril Dimov	
Typed or printed name	
	732-578-0103 x215
	Telephone Number
Terminal disclaimer fee under 37 CFR 1.20(d) is included.	
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2030.	
"Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB96 may be used for making this statement. See MPEP § 324.	

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, to process) an application. Comingertality is governed by 35 U.S.C. 122 and 37 U.H. 1.11 and 1.14. This collection is estimated to complete, including place improper popering, and submitting the completed application from the USPTO. Time we very depending upon the including active Apy comments on the USPTO. Time we very depending upon the including active Apy comments on the USPTO. The weak very depending upon the including active Apy comments of the Apy comments of the USPTO. The Application of the USPTO. Commissioner for Patents, P.O. Dos 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Dos 1450, Alexandria, VA 22313-1450.

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement neodiations.
- A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the
- A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a noutine use, to the public after either publication of the application pursuant to 35 U.S. C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filled in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.